

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-013623
RCT:kjf&jld:rs

Today

my

2009 BILL

✓
Regen

1 AN ACT *to create* 15.197 (5) and 254.565 of the statutes; **relating to:** healthy and
2 environmentally sensitive cleaning in certain buildings, providing an
3 exemption from emergency rule procedures, and granting rule-making
4 authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services (DHS) to promulgate rules requiring cleaning that minimizes adverse effects on human health and the environment (healthy and environmentally sensitive cleaning) in school buildings, buildings on University of Wisconsin campuses, other buildings owned by this state, buildings owned by a technical college district board, and buildings owned by a city, village, town, or county. DHS must consult with the Council on Healthy and Environmentally Sensitive Cleaning, created by the bill, in promulgating the rules. The rules apply beginning one year after the bill is enacted. Under the bill, DHS may grant a one-year exemption from a requirement in the rules if a person responsible for complying with the requirement demonstrates that compliance would increase its cleaning costs.

The bill requires DHS to include, in the initial rules for healthy and environmentally sensitive cleaning, standards for certain products, based on existing voluntary standards adopted by the Environmental Protection Agency (EPA) or specified private groups. The products include restroom cleaners, general purpose cleaners, hand soap, toilet paper and paper towels, and vacuum cleaners. DHS may later modify the standards for those products. The bill authorizes DHS to

BILL

adopt, by rule, a standard for an additional product for janitorial or sanitation use if EPA or Green Seal, Inc., has adopted a standard for the product. The bill also authorizes DHS to adopt, by rule, a standard for a janitorial or sanitation process if Greenguard Environmental Institute has adopted a standard for the process. DHS is not required to base a rule on the standard adopted by one of the specified bodies, if DHS determines that another body has adopted a better standard.

or
certified

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.197 (5) of the statutes is created to read:

2 15.197 (5) COUNCIL ON HEALTHY AND ENVIRONMENTALLY SENSITIVE CLEANING. (a)

3 There is created in the department of health services a council on healthy and
4 environmentally sensitive cleaning consisting of the following members:

5 1. The superintendent of public instruction or the superintendent's designee.

6 2. The secretary of natural resources or the secretary's designee.

7 3. A representative of a distributor of cleaning products in this state.

8 4. A representative of a producer of cleaning products in this state.

9 5. A representative of a labor union that represents workers who use cleaning
10 products.

11 6. A representative of the organization Healthy Schools Campaign.

12 (b) The secretary of health services shall appoint the members under par. (a)
13 3. to 6. for 3-year terms.

14 **SECTION 2.** 254.565 of the statutes is created to read:

15 **254.565 Healthy and environmentally sensitive cleaning in certain**
16 **buildings. (1) DEFINITIONS.** In this section:

17 (a) "Campus" has the meaning given in s. 36.05 (3).

18 (b) "Charter school" has the meaning given in s. 115.001 (1).

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1 (c) "Council" means the council on healthy and environmentally sensitive
2 cleaning.

3 (d) "Healthy and environmentally sensitive cleaning" means cleaning that
4 minimizes adverse impacts on human health and the environment.

5 (e) "Political subdivision" means a city, village, town, or county.

6 (f) "Private school" has the meaning given in s. 115.001 (3r).

7 (g) "Public school" means a school described in s. 115.01 (1).

8 (h) "Responsible person" means one of the following:

9 1. For a public school, other than a charter school, the school board.

10 2. For a charter school, the governing body of the charter school.

11 3. For a private school with 50 or more students, the governing body of the
12 private school.

13 4. For a building owned by a political subdivision, the political subdivision.

14 5. For a building owned by a technical college district board, the technical
15 college district board.

16 6. For a building on a campus, the Board of Regents of the University of
17 Wisconsin System.

18 7. For a building owned by this state, other than a building on a campus, the
19 department of administration.

20 (i) "School" means any of the following:

21 1. A public school, including a charter school.

22 2. A private school with 50 or more students.

23 (j) "School board" has the meaning given in s. 115.001 (7).

BILL**SECTION 2**

1 (2) RULES. (a) The department, in consultation with the council, shall
2 promulgate rules requiring healthy and environmentally sensitive cleaning in all of
3 the following:

- 4 1. School buildings.
- 5 2. Buildings that are owned by political subdivisions.
- 6 3. Buildings that are owned by technical college district boards.
- 7 4. Buildings on a campus.
- 8 5. Buildings owned by this state, other than buildings on a campus.

9 (b) In the initial rules under this subsection, the department shall include all
10 of the following:

11 1. Standards for hand cleaners and hand soap based on the standards of Green
12 Seal, Inc., that are in effect on the effective date of this subdivision [LRB inserts
13 date].

14 2. Standards for general purpose cleaners, restroom cleaners, glass cleaners,
15 and carpet cleaners based on the standards of Green Seal, Inc., that are in effect on
16 the effective date of this subdivision [LRB inserts date], or on the standards of the
17 federal environmental protection agency under its Design for the Environment
18 Program that are in effect on the effective date of this subdivision [LRB inserts
19 date].

20 3. Standards for laundry care products based on the standards of the federal
21 environmental protection agency under its Design for the Environment Program
22 that are in effect on the effective date of this subdivision [LRB inserts date].

23 4. Standards for toilet paper based on the standards of Green Seal, Inc., that
24 are in effect on the effective date of this subdivision [LRB inserts date].

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1 5. Standards for paper towels and paper napkins based on the standards of
2 Green Seal, Inc., that are in effect on the effective date of this subdivision [LRB
3 inserts date].

4 6. Standards for vacuum cleaners that are based on the standards of the Carpet
5 and Rug Institute under its Green Label Program that are in effect on the effective
6 date of this subdivision [LRB inserts date].

7 (c) The department, in consultation with the council, may promulgate rules
8 that modify the initial rules promulgated under par. (b).

9 (d) The department, in consultation with the council, may promulgate rules
10 specifying standards for a product for janitorial or sanitation use, in addition to the
11 products covered in par. (b), if Green Seal, Inc., has adopted a standard for the
12 product or if the federal environmental protection agency has adopted a voluntary
13 standard for the product. The department is not required to base a rule under this
14 paragraph on the standard adopted by Green Seal, Inc., or the federal environmental
15 protection agency for a product, but may base a rule on a standard for the product
16 adopted by another entity if the department determines that the other entity's
17 standard is practical and better promotes healthy and environmentally sensitive
18 cleaning. The department may request Green Seal, Inc., or the federal
19 environmental agency to adopt a standard for a product for janitorial or sanitation
20 use for which a standard has not been adopted.

21 (e) The department, in consultation with the council, may promulgate rules
22 specifying standards for a janitorial or sanitation process, which may include
23 requirements for items used to perform the janitorial or sanitation process, if
24 Greenguard Environmental Institute has adopted ^{or certified} a standard for the process. The
25 department is not required to base a rule under this paragraph on the standard

BILL**SECTION 2**

^{or certified ✓}
1 adopted by Greenguard Environmental Institute for the process, but may base a rule
2 on a standard for the process [✓] adopted by another entity if the department determines
3 that the other entity's standard is practical and better promotes healthy and
4 environmentally sensitive cleaning. The department may request Greenguard
5 Environmental Institute to adopt a standard ^{or certify} for a janitorial or sanitation process for
6 which a standard has not been adopted ^{or certified ✓}

7 (f) When the department considers 2 or more standards on which to base a rule
8 under this subsection, the department shall give a preference to standards that are
9 more protective of human health and preventive of the spread of infection and
10 disease.

11 (g) The department shall provide information about the rules under this
12 subsection, including revisions to the rules, to each school board, to the governing
13 body of each charter school, and to the governing body of each private school with 50
14 or more students.

15 (3) REQUIREMENT. (a) Except as provided in pars. (b) to (d), beginning on the
16 first day of the 12th month beginning after the effective date of this paragraph
17 [LRB inserts date], each responsible person shall ensure that the rules promulgated
18 under sub. (2) are complied with in a building for which the responsible person is
19 responsible.

20 (b) Except as provided in par. (c), the rules promulgated under sub. (2) (b) do
21 not apply to the use of products purchased before the first day of the 12th month
22 beginning after the effective date of this paragraph [LRB inserts date].

23 (c) A rule promulgated under sub. (2) relating to a kind of machine does not
24 apply to the use of a machine of that type purchased before the effective date of the
25 rule.

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1 (d) A responsible person is exempt for one year from a requirement in the rules
2 promulgated under sub. (2) relating to the use of a product if the responsible person
3 demonstrates to the department that complying with the requirement would
4 increase the responsible person's cleaning costs for the year.

5 (4) COUNCIL. (a) The council shall advise the department on the program under
6 this section. The council shall review the rules under sub. (2) at least every 3 years
7 and provide recommendations on changes to the rules. The council shall review
8 changes to a standard on which a rule under sub. (2) is based and advise the
9 department on whether to modify the rule to reflect the changes in the standard, to
10 modify the rule so that it is based on a different standard, or to make no changes to
11 the rule.

12 (b) The department shall review and provide a written response to any advice
13 that it receives from the council concerning the program under this section.

14 **SECTION 3. Nonstatutory provisions.**

15 (1) RULE MAKING.

16 (a) The department of health services shall submit in proposed form the rules
17 required under section 254.565 (2) (b) of the statutes, as created by this act, to the
18 legislative council staff under section 227.15 (1) of the statutes no later than the first
19 day of the 7th month beginning after the effective date of this subsection.

20 (b) Using the procedure under section 227.24 of the statutes, the department
21 of health services may promulgate the rules required under section 254.565 (2) (b)
22 of the statutes, as created by this act, for the period before the effective date of the
23 rules submitted under paragraph (a), but not to exceed the period authorized under
24 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
25 (2) (b), and (3) of the statutes, the department is not required to provide evidence that

BILL**SECTION 3**

1 promulgating a rule under this paragraph as an emergency rule is necessary for the
2 preservation of the public peace, health, safety, or welfare and is not required to
3 provide a finding of emergency for a rule promulgated under this paragraph.

4 (2) INITIAL TERMS OF MEMBERS OF COUNCIL. Notwithstanding the length of terms
5 specified under section 15.197 (5) (b) of the statutes, as created by this act, the
6 secretary of health services shall appoint initial members of the council on healthy
7 and environmentally sensitive cleaning as follows:

8 (a) The members under section 15.197 (5) (a) 3. and 6. of the statutes, as created
9 by this act, for terms expiring on July 1, 2012.

10 (b) The member under section 15.197 (5) (a) 4. of the statutes, as created by this
11 act, for a term expiring on July 1, 2013.

12 (c) The member under section 15.197 (5) (a) 5. of the statutes, as created by this
13 act, for a term expiring on July 1, 2014.

14 (END)

Delete Distributor position

Add:

2 parents of children in K-12 school
1 principal
1 teacher
1 school administrator
1 student
1 health professional with expertise in public health

Shelle Michalak
Office of State Representative Cory Mason
Room 321 East, State Capitol
PO Box 8953
Madison, WI 53708

Phone: (608) 266-0634 Toll free: (888) 534-0062
Fax: (608) 282-3662
Email: Michelle.Michalak@legis.wisconsin.gov

E-mail correspondence to and from this address may be subject open records law and may be disclosed to outside parties.

reid
9/11/09



State of Wisconsin
2009 - 2010 LEGISLATURE

Wanted Friday, 9/11

LRB-0136/24

RCT:kjf&jld:md

Stays rmr

2009 BILL

Regen

- 1 AN ACT *to create* 15.197 (5) and 254.565 of the statutes; **relating to:** healthy and
2 environmentally sensitive cleaning in certain buildings, providing an
3 exemption from emergency rule procedures, and granting rule-making
4 authority.

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This bill requires the Department of Health Services (DHS) to promulgate rules requiring cleaning that minimizes adverse effects on human health and the environment (healthy and environmentally sensitive cleaning) in school buildings, buildings on University of Wisconsin campuses, other buildings owned by this state, buildings owned by a technical college district board, and buildings owned by a city, village, town, or county. DHS must consult with the Council on Healthy and Environmentally Sensitive Cleaning, created by the bill, in promulgating the rules. The rules apply beginning one year after the bill is enacted. Under the bill, DHS may grant a one-year exemption from a requirement in the rules if a person responsible for complying with the requirement demonstrates that compliance would increase its cleaning costs.

The bill requires DHS to include, in the initial rules for healthy and environmentally sensitive cleaning, standards for certain products, based on existing voluntary standards adopted by the Environmental Protection Agency (EPA) or specified private groups. The products include restroom cleaners, general purpose cleaners, hand soap, toilet paper and paper towels, and vacuum cleaners. DHS may later modify the standards for those products. The bill authorizes DHS to

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adopt, by rule, a standard for an additional product for janitorial or sanitation use if EPA or Green Seal, Inc., has adopted a standard for the product. The bill also authorizes DHS to adopt, by rule, a standard for a janitorial or sanitation process if Greenguard Environmental Institute has adopted or certified a standard for the process. DHS is not required to base a rule on the standard adopted or certified by one of the specified bodies, if DHS determines that another body has adopted a better standard.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.197 (5) of the statutes is created to read:

2 15.197 (5) COUNCIL ON HEALTHY AND ENVIRONMENTALLY SENSITIVE CLEANING.

3 There is created in the department of health services a council on healthy and
4 environmentally sensitive cleaning consisting of the following members:

5 1. The superintendent of public instruction or the superintendent's designee.

6 2. The secretary of natural resources or the secretary's designee.

7 3. A representative of a distributor of cleaning products in this state.

8 4. A representative of a producer of cleaning products in this state.

9 5. A representative of a labor union that represents workers who use cleaning
10 products.

11 6. A representative of the organization Healthy Schools Campaign.

12 (b) The secretary of health services shall appoint the members under par. (a)

13 3. to (c) for 3-year terms.

14 **SECTION 2.** 254.565 of the statutes is created to read:

15 **254.565 Healthy and environmentally sensitive cleaning in certain**
16 **buildings. (1) DEFINITIONS.** In this section:

17 (a) "Campus" has the meaning given in s. 36.05 (3).

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1 (b) "Charter school" has the meaning given in s. 115.001 (1).

2 (c) "Council" means the council on healthy and environmentally sensitive
3 cleaning.

4 (d) "Healthy and environmentally sensitive cleaning" means cleaning that
5 minimizes adverse impacts on human health and the environment.

6 (e) "Political subdivision" means a city, village, town, or county.

7 (f) "Private school" has the meaning given in s. 115.001 (3r).

8 (g) "Public school" means a school described in s. 115.01 (1).

9 (h) "Responsible person" means one of the following:

10 1. For a public school, other than a charter school, the school board.

11 2. For a charter school, the governing body of the charter school.

12 3. For a private school with 50 or more students, the governing body of the
13 private school.

14 4. For a building owned by a political subdivision, the political subdivision.

15 5. For a building owned by a technical college district board, the technical
16 college district board.

17 6. For a building on a campus, the Board of Regents of the University of
18 Wisconsin System.

19 7. For a building owned by this state, other than a building on a campus, the
20 department of administration.

21 (i) "School" means any of the following:

22 1. A public school, including a charter school.

23 2. A private school with 50 or more students.

24 (j) "School board" has the meaning given in s. 115.001 (7).

BILL**SECTION 2**

1 (2) RULES. (a) The department, in consultation with the council, shall
2 promulgate rules requiring healthy and environmentally sensitive cleaning in all of
3 the following:

- 4 1. School buildings.
- 5 2. Buildings that are owned by political subdivisions.
- 6 3. Buildings that are owned by technical college district boards.
- 7 4. Buildings on a campus.
- 8 5. Buildings owned by this state, other than buildings on a campus.

9 (b) In the initial rules under this subsection, the department shall include all
10 of the following:

11 1. Standards for hand cleaners and hand soap based on the standards of Green
12 Seal, Inc., that are in effect on the effective date of this subdivision [LRB inserts
13 date].

14 2. Standards for general purpose cleaners, restroom cleaners, glass cleaners,
15 and carpet cleaners based on the standards of Green Seal, Inc., that are in effect on
16 the effective date of this subdivision [LRB inserts date], or on the standards of the
17 federal environmental protection agency under its Design for the Environment
18 Program that are in effect on the effective date of this subdivision [LRB inserts
19 date].

20 3. Standards for laundry care products based on the standards of the federal
21 environmental protection agency under its Design for the Environment Program
22 that are in effect on the effective date of this subdivision [LRB inserts date].

23 4. Standards for toilet paper based on the standards of Green Seal, Inc., that
24 are in effect on the effective date of this subdivision [LRB inserts date].

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1 5. Standards for paper towels and paper napkins based on the standards of
2 Green Seal, Inc., that are in effect on the effective date of this subdivision [LRB
3 inserts date].

4 6. Standards for vacuum cleaners that are based on the standards of the Carpet
5 and Rug Institute under its Green Label Program that are in effect on the effective
6 date of this subdivision [LRB inserts date].

7 (c) The department, in consultation with the council, may promulgate rules
8 that modify the initial rules promulgated under par. (b).

9 (d) The department, in consultation with the council, may promulgate rules
10 specifying standards for a product for janitorial or sanitation use, in addition to the
11 products covered in par. (b), if Green Seal, Inc., has adopted a standard for the
12 product or if the federal environmental protection agency has adopted a voluntary
13 standard for the product. The department is not required to base a rule under this
14 paragraph on the standard adopted by Green Seal, Inc., or the federal environmental
15 protection agency for a product, but may base a rule on a standard for the product
16 adopted by another entity if the department determines that the other entity's
17 standard is practical and better promotes healthy and environmentally sensitive
18 cleaning. The department may request Green Seal, Inc., or the federal
19 environmental agency to adopt a standard for a product for janitorial or sanitation
20 use for which a standard has not been adopted.

21 (e) The department, in consultation with the council, may promulgate rules
22 specifying standards for a janitorial or sanitation process, which may include
23 requirements for items used to perform the janitorial or sanitation process, if
24 Greenguard Environmental Institute has adopted or certified a standard for the
25 process. The department is not required to base a rule under this paragraph on the

BILL**SECTION 2**

1 standard adopted or certified by Greenguard Environmental Institute for the
2 process, but may base a rule on a standard for the process adopted by another entity
3 if the department determines that the other entity's standard is practical and better
4 promotes healthy and environmentally sensitive cleaning. The department may
5 request Greenguard Environmental Institute to adopt a standard or certified for a
6 janitorial or sanitation process for which a standard has not been adopted or
7 certified.

8 (f) When the department considers 2 or more standards on which to base a rule
9 under this subsection, the department shall give a preference to standards that are
10 more protective of human health and preventive of the spread of infection and
11 disease.

12 (g) The department shall provide information about the rules under this
13 subsection, including revisions to the rules, to each school board, to the governing
14 body of each charter school, and to the governing body of each private school with 50
15 or more students.

16 (3) REQUIREMENT. (a) Except as provided in pars. (b) to (d), beginning on the
17 first day of the 12th month beginning after the effective date of this paragraph
18 [LRB inserts date], each responsible person shall ensure that the rules promulgated
19 under sub. (2) are complied with in a building for which the responsible person is
20 responsible.

21 (b) Except as provided in par. (c), the rules promulgated under sub. (2) (b) do
22 not apply to the use of products purchased before the first day of the 12th month
23 beginning after the effective date of this paragraph [LRB inserts date].

BILL

1 (c) A rule promulgated under sub. (2) relating to a kind of machine does not
2 apply to the use of a machine of that type purchased before the effective date of the
3 rule.

4 (d) A responsible person is exempt for one year from a requirement in the rules
5 promulgated under sub. (2) relating to the use of a product if the responsible person
6 demonstrates to the department that complying with the requirement would
7 increase the responsible person's cleaning costs for the year.

8 (4) COUNCIL. (a) The council shall advise the department on the program under
9 this section. The council shall review the rules under sub. (2) at least every 3 years
10 and provide recommendations on changes to the rules. The council shall review
11 changes to a standard on which a rule under sub. (2) is based and advise the
12 department on whether to modify the rule to reflect the changes in the standard, to
13 modify the rule so that it is based on a different standard, or to make no changes to
14 the rule.

15 (b) The department shall review and provide a written response to any advice
16 that it receives from the council concerning the program under this section.

17 **SECTION 3. Nonstatutory provisions.**

18 (1) RULE MAKING.

19 (a) The department of health services shall submit in proposed form the rules
20 required under section 254.565 (2) (b) of the statutes, as created by this act, to the
21 legislative council staff under section 227.15 (1) of the statutes no later than the first
22 day of the 7th month beginning after the effective date of this subsection.

23 (b) Using the procedure under section 227.24 of the statutes, the department
24 of health services may promulgate the rules required under section 254.565 (2) (b)
25 of the statutes, as created by this act, for the period before the effective date of the

BILL

SECTION 3

rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(2) INITIAL TERMS OF MEMBERS OF COUNCIL. Notwithstanding the length of terms specified under section 15.197 (5) ^{✓ c} of the statutes, as created by this act, the secretary of health services shall appoint initial members of the council on healthy and environmentally sensitive cleaning as follows:

(a) The members under section 15.197 (5) ^b 3. and ^{✓ 9} 6 of the statutes, as created ^{Insert 8-12} by this act, for terms expiring on July 1, 2012.

(b) The member^s under section 15.197 (5) ^b 4. of the statutes, as created by this act, for a term^s expiring on July 1, 2013. ^{1, 2, and 10.}

(c) The member^s under section 15.197 (5) ^b 5. of the statutes, as created by this act, for a term^s expiring on July 1, 2014. ^{1, 8, and 11.}

(END)

Insert 8-16

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0136/4ins
RCT.....

Insert 2-2

not (a) In this subsection, “school” has the meaning given in s. 254.565 (1) (i). ✓

Insert 2-11

6. Two parents of school students. ✓

7. One school student.

8. One school principal.

9. One school teacher.

10. One school district administrator, as defined in s. 115.001 (8). ✓

11. One health professional with expertise in public health.

Inserts 8-12 and 8-16 (use twice) ↓

not and one of the members appointed under section 15.197 (5) (b) 6. of the statutes, ✓
as created by this act,

Tradewell, Becky

From: Michalak, Michelle
Sent: Tuesday, September 22, 2009 9:28 AM
To: Tradewell, Becky
Subject: FW: Final language for Healthy and Environmentally Sensitive Cleaning

Importance: High



2009092207253670

6.pdf (447 KB)...

Good Morning Becky,

The folks we have been working with on the Healthy Green Cleaning Bill have some additional edits to the bill. I've been working to get this information for over a week now with the intention of getting it to you sooner.

We have plans to have a press conference this Friday if there is any chance we could have this bill updated by Thursday that would be much appreciated. This bill is a big priority to Representative Mason and the Speaker.

Please let me know if you have any questions about the edits to the language -- I know it is hand written.

Thanks so much,

Shelle

Shelle Michalak

Office of State Representative Cory Mason Room 321 East, State Capitol PO Box 8953 Madison, WI 53708

--

Phone: (608) 266-0634 Toll free: (888) 534-0062

Fax: (608) 282-3662

Email: Michelle.Michalak@legis.wisconsin.gov

E-mail correspondence to and from this address may be subject open records law and may be disclosed to outside parties.

-----Original Message-----

From: Jeff Neubauer [mailto:jneubauer@kranzinc.com]

Sent: Tuesday, September 22, 2009 7:32 AM

To: Michalak, Michelle; Childress, Jason M.

Cc: Rep.Mason; chmason62@gmail.com

Subject: Final language for Healthy and Environmetally Sensitive Cleaning

Importance: High

1 Attached please find the final language for the bill.

2 If I were in Cory's place I would probably throw Jeff Neubauer and the bill into Lake Michigan in utter frustration with the process and delays in getting this language to you.

3 IF you can stomach one more conversation about this I would say the following:

1) Announce and release the bill in the form that is attached on Friday at an event with Curt Johnson in Racine. Nothing but good publicity will come from

that. It is no lose, all upside for you.

2) Call Rich Judge and tell him that we have a bill that labor will like much better than the Sullivan bill and could really make a difference for children, teachers and all public employees. Nationally SEIU, AFSCME, AFT, and the Teamsters all want a legislation that addresses training and safety for their members. This is the first bill in the country that does both. (NEA had not yet been asked to be a part of the effort, but those conversations are occurring this month and early discussions are very positive).

3) Let us set up a meeting with WEAC to get them up to speed on the issue. We will we will carry the ball. Then we can approach the School Boards and the Administrators to show them how they can be heroes in their communities and save money at the same time.

4) You will need to reach out to Sullivan to ask him to Co-sponsor this bill. We can get him up to speed on the issue. This bill could make him a hero and get him a lot of positive support in his district if he works it properly and we can show him how that has worked in other states. Down the line you, Jim and Tamara can decide whether to run with this new bill or to adopt this bill's language as a sub to the original bill.

5) We have the bill language. Believe me I have done research on the issue and sincerely apologize and take 100% of the responsibility for the delays. No excuse. I did not want to get it wrong so I obsessed over some details in the language way too much. At this stage of the game there is no reason not to get it in the hopper and see what we can do with it.

I am available today by cell if anyone wants to talk to me -- 414-870-2227.

Thank you,

Jeff

Jeff Neubauer
President & CEO
Kranz, Inc.

Sustainable Solutions that work for you!

Plans are only good intentions unless they immediately degenerate into hard work.
-Peter Drucker

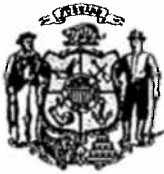
The information in this electronic mail is intended for the named recipient(s) only. Privileged or confidential information may be contained in this e-mail. If you are not an addressee or responsible for delivering this e-mail to an addressee, do not copy or deliver it to anyone or you may incur legal liability; instead, notify us immediately by either calling 262/638-2200 or replying to this e-mail, then delete the message. Thank you!

-----Original Message-----

From: ricohcopier@kranzinc.com [mailto:ricohcopier@kranzinc.com]
Sent: Tuesday, September 22, 2009 6:26 AM
To: Jeff Neubauer
Subject:

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Scan Date: 09.22.2009 07:25:36 (-0400)
Queries to: ricohcopier@kranzinc.com



9/21/09 FINAL

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0136/3
RCT:kjf&jld:md

2009 BILL

1 **AN ACT** *to create* 15.197 (5) and 254.565 of the statutes; **relating to:** healthy and
2 environmentally sensitive cleaning in certain buildings, providing an
3 exemption from emergency rule procedures, and granting rule-making
4 authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services (DHS) to promulgate rules requiring cleaning that minimizes adverse effects on human health and the environment (healthy and environmentally sensitive cleaning) in school buildings, buildings on University of Wisconsin campuses, other buildings owned by this state, buildings owned by a technical college district board, and buildings owned by a city, village, town, or county. DHS must consult with the Council on Healthy and Environmentally Sensitive Cleaning, created by the bill, in promulgating the rules. The rules apply beginning one year after the bill is enacted. Under the bill, DHS may grant a one-year exemption from a requirement in the rules if a person responsible for complying with the requirement demonstrates that compliance would increase its cleaning costs.

The bill requires DHS to include, in the initial rules for healthy and environmentally sensitive cleaning, standards for certain products, based on existing voluntary standards adopted by the Environmental Protection Agency (EPA) or specified private groups. The products include restroom cleaners, general purpose cleaners, hand soap, toilet paper and paper towels, and vacuum cleaners. DHS may later modify the standards for those products. The bill authorizes DHS to

BILL

adopt, by rule, a standard for an additional product for janitorial or sanitation use if EPA or Green Seal, Inc. ^{or Ecologo have categories} ~~has~~ ^{category} adopted a standard for the product. The bill also authorizes DHS to adopt, by rule, a standard for a janitorial or sanitation process if Greenguard Environmental Institute has adopted or certified a standard for the process. DHS is not required to base a rule on the standard adopted or certified by one of the specified bodies, if DHS determines that another body has adopted a better standard.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.197 (5) of the statutes is created to read:

2 **15.197 (5) COUNCIL ON HEALTHY AND ENVIRONMENTALLY SENSITIVE CLEANING.** (a)

3 There is created in the department of health services a council on healthy and
4 environmentally sensitive cleaning consisting of the following members:

5 1. The superintendent of public instruction or the superintendent's designee.

6 2. The secretary of natural resources or the secretary's designee.

7 3. A representative of a distributor of cleaning products in this state.

8 4. A representative of a producer of cleaning products in this state.

9 5. A representative of a labor union that represents workers who use cleaning
10 products.

11 6. A representative of the organization ^{School Nurses Association} ~~Healthy Schools Campaign~~.

12 (b) The secretary of health services shall appoint the members under par. (a)

13 3. to 6. for 3-year terms.

14 **SECTION 2.** 254.565 of the statutes is created to read:

15 **254.565 Healthy and environmentally sensitive cleaning in certain**
16 **buildings. (1) DEFINITIONS.** In this section:

17 (a) "Campus" has the meaning given in s. 36.05 (3).

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1 (b) "Charter school" has the meaning given in s. 115.001 (1).

2 (c) "Council" means the council on healthy and environmentally sensitive
3 cleaning.

4 (d) "Healthy and environmentally sensitive cleaning" means cleaning that
5 minimizes adverse impacts on human health and the environment.

6 (e) "Political subdivision" means a city, village, town, or county.

7 (f) "Private school" has the meaning given in s. 115.001 (3r).

8 (g) "Public school" means a school described in s. 115.01 (1).

9 (h) "Responsible person" means one of the following:

10 1. For a public school, other than a charter school, the school board.

11 2. For a charter school, the governing body of the charter school.

12 3. For a private school with 50 or more students, the governing body of the
13 private school.

14 4. For a building owned by a political subdivision, the political subdivision.

15 5. For a building owned by a technical college district board, the technical
16 college district board.

17 6. For a building on a campus, the Board of Regents of the University of
18 Wisconsin System.

19 7. For a building owned by this state, other than a building on a campus, the
20 department of administration.

21 (i) "School" means any of the following:

22 1. A public school, including a charter school.

23 2. A private school with 50 or more students.

24 (j) "School board" has the meaning given in s. 115.001 (7).

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1 (2) RULES. (a) The department, in consultation with the council, shall
2 promulgate rules requiring healthy and environmentally sensitive cleaning in all of
3 the following:

- 4 1. School buildings.
- 5 2. Buildings that are owned by political subdivisions.
- 6 3. Buildings that are owned by technical college district boards.
- 7 4. Buildings on a campus.
- 8 5. Buildings owned by this state, other than buildings on a campus.

9 (b) In the initial rules under this subsection, the department shall include all
10 of the following:

11 1. Standards for hand cleaners and hand soap based on the standards of Green
12 Seal, Inc., that are in effect on the effective date of this subdivision [LRB inserts
13 date].

14 2. Standards for general purpose cleaners, restroom cleaners, glass cleaners,
15 and carpet cleaners based on the standards of Green Seal, Inc., that are in effect on
16 the effective date of this subdivision [LRB inserts date], or on the standards of the
17 federal environmental protection agency under its Design for the Environment
18 Program that are in effect on the effective date of this subdivision [LRB inserts
19 date].

20 3. Standards for laundry care products based on the standards of the federal
21 environmental protection agency under its Design for the Environment Program
22 that are in effect on the effective date of this subdivision [LRB inserts date].

23 4. Standards for toilet paper based on the standards of Green Seal, Inc., that
24 are in effect on the effective date of this subdivision [LRB inserts date].

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1 5. Standards for paper towels and paper napkins based on the standards of
2 ^{or Ecologo}
Green Seal, Inc., that are in effect on the effective date of this subdivision [LRB
3 inserts date].

4 6. Standards for vacuum cleaners that are based on the standards of the Carpet
5 and Rug Institute under its Green Label Program that are in effect on the effective
6 date of this subdivision [LRB inserts date].

7 7. ^(Insert)
(c) The department, in consultation with the council, may promulgate rules
8 that modify the initial rules promulgated under par. (b).

9 (d) The department, in consultation with the council, may promulgate rules
10 specifying standards for a product ^{category} for janitorial or sanitation use, in addition to the
11 products covered in par. (b), if Green Seal, Inc., ^{or Ecologo have} ~~has~~ adopted a standard for the
12 product ^{category} or if the federal environmental protection agency has adopted a voluntary
13 standard for the product ^{category}. The department is not required to base a rule under this
14 paragraph on the standard adopted by Green Seal, Inc., ^{Ecologo} or the federal environmental
15 protection agency for a product, but may base a rule on a standard for the product ^{category}
16 adopted by another entity if the department determines that the other entity's
17 standard is practical and better promotes healthy and environmentally sensitive
18 cleaning. The department may request Green Seal, Inc., ^{Ecologo} or the federal
19 environmental agency to adopt a standard for a product ^{category} for janitorial or sanitation
20 use for which a standard has not been adopted.

21 (e) The department, in consultation with the council, may promulgate rules
22 specifying standards for a janitorial or sanitation process, which may include
23 requirements for items used to perform the janitorial or sanitation process, if
24 Greenguard Environmental Institute has adopted or certified a standard for the
25 process. The department is not required to base a rule under this paragraph on the

(b) 7. Standards for janitorial or sanitation processes, which include
cleaning products, tools and training, that are certified by the
Greenguard Environmental Institute to its Children and Schools
standard that are in effect on the effective date of this
subdivision [LRB inserts date].

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1 standard adopted or certified by Greenguard Environmental Institute for the
2 process, but may base a rule on a standard for the process adopted by another entity
3 if the department determines that the other entity's standard is practical and better
4 promotes healthy and environmentally sensitive cleaning. The department may
5 request Greenguard Environmental Institute to adopt a standard ^{or certify} ~~or certified~~ for a
6 janitorial or sanitation process for which a standard has not been adopted or
7 certified.

8 (f) When the department considers 2 or more standards on which to base a rule
9 under this subsection, the department shall give a preference to standards that are
10 more protective of human health and preventive of the spread of infection and
11 disease.

12 (g) The department shall provide information about the rules under this
13 subsection, including revisions to the rules, to each school board, to the governing
14 body of each charter school, and to the governing body of each private school with 50
15 or more students.

16 (3) REQUIREMENT. (a) Except as provided in pars. (b) to (d), beginning on the
17 first day of the 12th month beginning after the effective date of this paragraph
18 [LRB inserts date], each responsible person shall ensure that the rules promulgated
19 under sub. (2) are complied with in a building for which the responsible person is
20 responsible.

21 (b) Except as provided in par. (c), the rules promulgated under sub. (2) (b) do
22 not apply to the use of products purchased before the first day of the 12th month
23 beginning after the effective date of this paragraph [LRB inserts date].

BILL

1 (c) A rule promulgated under sub. (2) relating to a kind of machine does not
2 apply to the use of a machine of that type purchased before the effective date of the
3 rule.

4 (d) A responsible person is exempt for one year from a requirement in the rules
5 promulgated under sub. (2) relating to the use of a product if the responsible person
6 ^{in a documented form} demonstrates to the department that complying with the requirement would
7 increase the responsible person's cleaning costs for the year.

8 (4) COUNCIL. (a) The council shall advise the department on the program under
9 this section. The council shall review the rules under sub. (2) at least every 3 years
10 and provide recommendations on changes to the rules. The council shall review
11 changes to a standard on which a rule under sub. (2) is based and advise the
12 department on whether to modify the rule to reflect the changes in the standard, to
13 modify the rule so that it is based on a different standard, or to make no changes to
14 the rule.

15 (b) The department shall review and provide a written response to any advice
16 that it receives from the council concerning the program under this section.

17 **SECTION 3. Nonstatutory provisions.**

18 (1) **RULE MAKING.**

19 (a) The department of health services shall submit in proposed form the rules
20 required under section 254.565 (2) (b) of the statutes, as created by this act, to the
21 legislative council staff under section 227.15 (1) of the statutes no later than the first
22 day of the 7th month beginning after the effective date of this subsection.

23 (b) Using the procedure under section 227.24 of the statutes, the department
24 of health services may promulgate the rules required under section 254.565 (2) (b)
25 of the statutes, as created by this act, for the period before the effective date of the

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1 rules submitted under paragraph (a), but not to exceed the period authorized under
2 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
3 (2) (b), and (3) of the statutes, the department is not required to provide evidence that
4 promulgating a rule under this paragraph as an emergency rule is necessary for the
5 preservation of the public peace, health, safety, or welfare and is not required to
6 provide a finding of emergency for a rule promulgated under this paragraph.

7 (2) INITIAL TERMS OF MEMBERS OF COUNCIL. Notwithstanding the length of terms
8 specified under section 15.197 (5) (b) of the statutes, as created by this act, the
9 secretary of health services shall appoint initial members of the council on healthy
10 and environmentally sensitive cleaning as follows:

11 (a) The members under section 15.197 (5) (a) 3. and 6. of the statutes, as created
12 by this act, for terms expiring on July 1, 2012.

13 (b) The member under section 15.197 (5) (a) 4. of the statutes, as created by this
14 act, for a term expiring on July 1, 2013.

15 (c) The member under section 15.197 (5) (a) 5. of the statutes, as created by this
16 act, for a term expiring on July 1, 2014.

17 (END)

Tradewell, Becky

From: Michalak, Michelle
Sent: Tuesday, September 22, 2009 9:58 AM
To: Tradewell, Becky
Subject: FW: 2009 Bill.pdf - Adobe Acrobat Professional

Ugh just got this from Jason with three edits – other similar groups and procedures. Sorry ---

Shelle Michalak

Office of State Representative Cory Mason
Room 321 East, State Capitol
PO Box 8953
Madison, WI 53708

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Phone: (608) 266-0634 Toll free: (888) 534-0062
Fax: (608) 282-3662
Email: Michelle.Michalak@legis.wisconsin.gov

E-mail correspondence to and from this address may be subject open records law and may be disclosed to outside parties.

From: Childress, Jason M. [<mailto:JChildress@foley.com>]
Sent: Tuesday, September 22, 2009 9:56 AM
To: Michalak, Michelle
Subject: FW: 2009 Bill.pdf - Adobe Acrobat Professional

From the Desk of: Jason M. Childress

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See attached. This is the final best product from Dr. Israel and Jeff. Let me know if any of it is illegible. The handwriting that is on most of it is Jeff's. I added, with Jeff's approval, the small insertions at Dr. Israel's request. Again, so sorry for the delay on this.

 INFO

From: Drake, Patricia L
Sent: Tuesday, September 22, 2009 9:53 AM
To: Childress, Jason M.
Subject: 2009 Bill.pdf - Adobe Acrobat Professional

09/22/2009

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9/21/09 Fina

State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0136/3
RCT:kjf&jld:md

2009 BILL

- 1 AN ACT *to create* 15.197 (5) and 254.565 of the statutes; **relating to:** healthy and
2 environmentally sensitive cleaning in certain buildings, providing an
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4 authority.

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The bill requires DHS to include, in the initial rules for healthy and environmentally sensitive cleaning, standards for certain products, based on existing voluntary standards adopted by the Environmental Protection Agency (EPA) or specified private groups. The products include restroom cleaners, general purpose cleaners, hand soap, toilet paper and paper towels, and vacuum cleaners. DHS may later modify the standards for those products. The bill authorizes DHS to

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adopt, by rule, a standard ^{or Ecologo have categories} for an additional product for janitorial or sanitation use if EPA or Green Seal, Inc. ^{category} has adopted a standard for the product. The bill also authorizes DHS to adopt, by rule, a standard for a janitorial or sanitation process if Greenguard Environmental Institute has adopted or certified a standard for the process. DHS is not required to base a rule on the standard adopted or certified by one of the specified bodies, if DHS determines that another body has adopted a better standard.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 15.197 (5) of the statutes is created to read:

2 15.197 (5) COUNCIL ON HEALTHY AND ENVIRONMENTALLY SENSITIVE CLEANING. (a)

3 There is created in the department of health services a council on healthy and
4 environmentally sensitive cleaning consisting of the following members:

5 1. The superintendent of public instruction or the superintendent's designee.

6 2. The secretary of natural resources or the secretary's designee.

7 3. A representative of a distributor of cleaning products in this state.

8 4. A representative of a producer of cleaning products in this state. ^{OR SIMILAR ORGANIZATION}

9 5. A representative of a labor union that represents workers who use cleaning
10 products.

11 6. A representative of the organization ^{School Nurses Association OR} Healthy Schools Campaign. ^{SIMILAR}

12 (b) The secretary of health services shall appoint the members under par. (a) ^{ORGANIZATION}

13 3. to 6. for 3-year terms.

14 SECTION 2. 254.565 of the statutes is created to read:

15 254.565 Healthy and environmentally sensitive cleaning in certain
16 buildings. (1) DEFINITIONS. In this section:

17 (a) "Campus" has the meaning given in s. 36.05 (3).

BILL

1 (b) "Charter school" has the meaning given in s. 115.001 (1).

2 (c) "Council" means the council on healthy and environmentally sensitive
3 cleaning.

4 (d) "Healthy and environmentally sensitive cleaning" means cleaning that
5 minimizes adverse impacts on human health and the environment.

6 (e) "Political subdivision" means a city, village, town, or county.

7 (f) "Private school" has the meaning given in s. 115.001 (3r).

8 (g) "Public school" means a school described in s. 115.01 (1).

9 (h) "Responsible person" means one of the following:

10 1. For a public school, other than a charter school, the school board.

11 2. For a charter school, the governing body of the charter school.

12 3. For a private school with 50 or more students, the governing body of the
13 private school.

14 4. For a building owned by a political subdivision, the political subdivision.

15 5. For a building owned by a technical college district board, the technical
16 college district board.

17 6. For a building on a campus, the Board of Regents of the University of
18 Wisconsin System.

19 7. For a building owned by this state, other than a building on a campus, the
20 department of administration.

21 (i) "School" means any of the following:

22 1. A public school, including a charter school.

23 2. A private school with 50 or more students.

24 (j) "School board" has the meaning given in s. 115.001 (7).

BILL

1 (2) RULES. (a) The department, in consultation with the council, shall
2 promulgate rules requiring healthy and environmentally sensitive cleaning in all of
3 the following:

- 4 1. School buildings.
- 5 2. Buildings that are owned by political subdivisions.
- 6 3. Buildings that are owned by technical college district boards.
- 7 4. Buildings on a campus.
- 8 5. Buildings owned by this state, other than buildings on a campus.

9 (b) In the initial rules under this subsection, the department shall include all
10 of the following:

11 1. Standards for hand cleaners and hand soap based on the standards of Green
12 Seal, Inc., that are in effect on the effective date of this subdivision [LRB inserts
13 date].

14 2. Standards for general purpose cleaners, restroom cleaners, glass cleaners,
15 and carpet cleaners based on the standards of Green Seal, Inc., that are in effect on
16 the effective date of this subdivision [LRB inserts date], or on the standards of the
17 federal environmental protection agency under its Design for the Environment
18 Program that are in effect on the effective date of this subdivision [LRB inserts
19 date].

20 3. Standards for laundry care products based on the standards of the federal
21 environmental protection agency under its Design for the Environment Program
22 that are in effect on the effective date of this subdivision [LRB inserts date].

23 4. Standards for toilet paper based on the standards of Green Seal, Inc., that
24 are in effect on the effective date of this subdivision [LRB inserts date].

BILL

1 5. Standards for paper towels and paper napkins based on the standards of
2 ^{or Ecologo}
3 Green Seal, Inc., that are in effect on the effective date of this subdivision [LRB
4 inserts date].

5 6. Standards for vacuum cleaners that are based on the standards of the Carpet
6 and Rug Institute under its Green Label Program that are in effect on the effective
7 date of this subdivision [LRB inserts date].

8 7. ^(Insert)
9 (c) The department, in consultation with the council, may promulgate rules
10 that modify the initial rules promulgated under par. (b).

11 (d) The department, in consultation with the council, may promulgate rules
12 specifying standards for a product for ^{category} janitorial or sanitation use, in addition to the
13 products covered in par. (b), if Green Seal, Inc., ^{or Ecologo have} has adopted a standard for the
14 product ^{category} or if the federal environmental protection agency has adopted a voluntary
15 standard for the product ^{category}. The department is not required to base a rule under this
16 paragraph on the standard adopted by Green Seal, Inc., ^{Ecologo} or the federal environmental
17 protection agency for a product, but may base a rule on a standard for the product ^{category}
18 adopted by another entity if the department determines that the other entity's
19 standard is practical and better promotes healthy and environmentally sensitive
20 cleaning. The department may request Green Seal, Inc., ^{Ecologo} or the federal
21 environmental agency to adopt a standard for a product ^{category} for janitorial or sanitation
22 use for which a standard has not been adopted.

23 (e) The department, in consultation with the council, may promulgate rules
24 specifying standards for a janitorial or sanitation process, which may include ^{processes}
25 requirements for items used to perform the janitorial or sanitation process, if
26 Greenguard Environmental Institute has adopted or certified a standard for the
27 process. The department is not required to base a rule under this paragraph on the

(b) 7. Standards for janitorial or sanitation processes, which include
cleaning products, tools and training, that are certified by the
Greenguard Environmental Institute to its Children and Schools
standard that are in effect on the effective date of this
subdivision [LRB inserts date].

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1 standard adopted or certified by Greenguard Environmental Institute for the
2 process, but may base a rule on a standard for the process adopted by another entity
3 if the department determines that the other entity's standard is practical and better
4 promotes healthy and environmentally sensitive cleaning. The department may
5 request Greenguard Environmental Institute to ^{or certify} adopt a standard ~~or certified~~ for a
6 janitorial or sanitation process for which a standard has not been adopted or
7 certified.

8 (f) When the department considers 2 or more standards on which to base a rule
9 under this subsection, the department shall give a preference to standards that are
10 more protective of human health and preventive of the spread of infection and
11 disease.

12 (g) The department shall provide information about the rules under this
13 subsection, including revisions to the rules, to each school board, to the governing
14 body of each charter school, and to the governing body of each private school with 50
15 or more students.

16 (3) REQUIREMENT. (a) Except as provided in pars. (b) to (d), beginning on the
17 first day of the 12th month beginning after the effective date of this paragraph
18 [LRB inserts date], each responsible person shall ensure that the rules promulgated
19 under sub. (2) are complied with in a building for which the responsible person is
20 responsible.

21 (b) Except as provided in par. (c), the rules promulgated under sub. (2) (b) do
22 not apply to the use of products purchased before the first day of the 12th month
23 beginning after the effective date of this paragraph [LRB inserts date].

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1 (c) A rule promulgated under sub. (2) relating to a kind of machine does not
2 apply to the use of a machine of that type purchased before the effective date of the
3 rule.

4 (d) A responsible person is exempt for one year from a requirement in the rules
5 promulgated under sub. (2) relating to the use of a product if the responsible person
6 demonstrates ^{in a documented form} to the department that complying with the requirement would
7 increase the responsible person's cleaning costs for the year.

8 (4) COUNCIL. (a) The council shall advise the department on the program under
9 this section. The council shall review the rules under sub. (2) at least every 3 years
10 and provide recommendations on changes to the rules. The council shall review
11 changes to a standard on which a rule under sub. (2) is based and advise the
12 department on whether to modify the rule to reflect the changes in the standard, to
13 modify the rule so that it is based on a different standard, or to make no changes to
14 the rule.

15 (b) The department shall review and provide a written response to any advice
16 that it receives from the council concerning the program under this section.

17 **SECTION 3. Nonstatutory provisions.**

18 (1) RULE MAKING.

19 (a) The department of health services shall submit in proposed form the rules
20 required under section 254.565 (2) (b) of the statutes, as created by this act, to the
21 legislative council staff under section 227.15 (1) of the statutes no later than the first
22 day of the 7th month beginning after the effective date of this subsection.

23 (b) Using the procedure under section 227.24 of the statutes, the department
24 of health services may promulgate the rules required under section 254.565 (2) (b)
25 of the statutes, as created by this act, for the period before the effective date of the

BILL

1 rules submitted under paragraph (a), but not to exceed the period authorized under
2 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
3 (2) (b), and (3) of the statutes, the department is not required to provide evidence that
4 promulgating a rule under this paragraph as an emergency rule is necessary for the
5 preservation of the public peace, health, safety, or welfare and is not required to
6 provide a finding of emergency for a rule promulgated under this paragraph.

7 (2) INITIAL TERMS OF MEMBERS OF COUNCIL. Notwithstanding the length of terms
8 specified under section 15.197 (5) (b) of the statutes, as created by this act, the
9 secretary of health services shall appoint initial members of the council on healthy
10 and environmentally sensitive cleaning as follows:

11 (a) The members under section 15.197 (5) (a) 3. and 6. of the statutes, as created
12 by this act, for terms expiring on July 1, 2012.

13 (b) The member under section 15.197 (5) (a) 4. of the statutes, as created by this
14 act, for a term expiring on July 1, 2013.

15 (c) The member under section 15.197 (5) (a) 5. of the statutes, as created by this
16 act, for a term expiring on July 1, 2014.

17 (END)